

FILED**UNITED STATES DISTRICT COURT**

JUL 23 2003

NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISIONMICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

JAMES COKE

CRIMINAL COMPLAINT

03CR 714
CASE NUMBER:

MAGISTRATE JUDGE KEYS

I, the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief. On or about July 22, 2003, in Cook County, in the Northern District of Illinois, and elsewhere, defendant,

did travel in interstate commerce from at or near Moscow Mills, Missouri, to the Northern District of Illinois, namely, Forest Park, Illinois, with the intent and for the purpose of engaging in a sexual act, as defined in Title 18, United States Code, Section 2246, with "Stef," whom defendant believed to be a female minor who had not attained the age of 16, and who, unbeknownst to defendant, was in fact an undercover law enforcement agent, in violation of Title 18, United States Code, Section 2423(b).

I further state that I am a Special Deputy U.S. Marshal, and that this complaint is based on the following facts:

Please see attached affidavit.

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No



Signature of Complainant

Sworn to before me and subscribed in my presence,

July 23, 2003
Date

at Chicago, IL
City and State

ARLANDER KEYS, Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

STATE OF ILLINOIS)
)
COUNTY OF COOK) SS

AFFIDAVIT OF MICHAEL P. ANTON

I, Sergeant Michael Anton, being duly sworn upon oath, depose and state:

I. INTRODUCTION

1. I have been employed by the Cook County Sheriff's Department for fourteen years. During the most recent six years I have been assigned to the Child Exploitation Unit of the Sheriff's Police, where I investigate child sexual abuse, child pornography and other crimes against children. As part of this assignment, I am a member of the Federal Child Exploitation Strike Force. Under the auspices of this assignment in May of 2000, I was sworn in as a Deputy United States Marshal to conduct federal child exploitation investigations.

2. I have received training in the investigation of child pornography, child abuse and the sexual exploitation of children at several schools in Illinois, including the FBI. In addition, I have conducted several training seminars on the subject of Child Exploitation Investigative Techniques for the Illinois Attorney General and the Cook County Sheriff's Police.

3. As part of my work assignment, I have conducted over 450 child abuse investigations and have reviewed numerous films, magazines, video tapes, photographs, digital pictures, computer hard drives, and other media that contains child pornography. In addition, I have conducted over 200 interviews of persons that were identified as child molesters and who had been arrested for dealing in child pornography and Indecent Solicitation of children over the Internet. I have arrested over 140 adults who have met or have attempted to meet children over the Internet for the purposes of engaging in sex.

4. This affidavit is made for the limited purposes of establishing probable cause in support of a criminal complaint charging JAMES COKE with violating Title 18, United States Code, Section 2423 (b). The affidavit is based on my own personal knowledge and experience, as well as information provided to me by other law enforcement officers. The affidavit does not contain all the information known to me about this investigation.

II. THE LAW

5. Title 18, United States Code, Section 2423(b), states:

A person who travels in interstate commerce for the purpose of engaging in any sexual act (as defined in section 2246) with a person under 18 years of age that would be in violation of chapter 109A if the

sexual act occurred in the special maritime and territorial jurisdiction of the United States shall be fined under this title, imprisoned not more than 15 years, or both.

Title 18, United States Code, Section 2243(a), which is part of Chapter 109A of the United States Code, provides in part:

Whoever... knowingly engages in a sexual act with another person who-
(1) has attained the age of 12 years but has not attained the age of 16 years; and (2) is at least four years younger than the person so engaging; or attempts to do so, shall be fined under title; imprisoned not more than 15 years, or both.

III. BACKGROUND

6. Since February of 1998, I have been assigned to the Cook County Sheriff's Police, Child Exploitation Unit where I conduct proactive, undercover child exploitation and child pornography investigations. I am also a member of the Federal Child Exploitation Strike Force which is comprised of federal, county, and local law enforcement officers. The purpose of the Strike Force is to identify persons seeking to sexually exploit or abuse minors. In addition to my own experience, I have received extensive training in the investigation of child exploitation and computer-related child sexual exploitation crimes. I also have personal knowledge in the operation of computers and the Internet. Based on this training and knowledge, I know the following:

- a. The Internet is a worldwide computer network that connects computers and allows communications and the transfer of data and information across state and national boundaries. The Internet itself is broken into three major parts: the World Wide Web (WWW), Usenet Newsgroups, and the Internet Relay Chat (IRC).
- b. Individuals who use the Internet can communicate with each other by using electronic mail, also known and referred to as "email," or using instantaneous private messaging communications. Email is an electronic form of communication that can contain letter-type correspondence and graphic images. It is similar to conventional paper-type mail in that it is addressed from one individual to another.
- c. An email message usually contains a header that gives the screen name, the identity of the Internet access provider, and the return address on the Internet of the individual who originated the message or graphic.

IV. UNDERCOVER INVESTIGATION

7. Agents from the Federal Strike Force routinely enter "chat rooms" or channels on Yahoo Messenger while posing as a minor child. On or about May 27 2003, Investigator Mary Perovich was in the Cook County Sheriff's Police Child Exploitation Unit (CEU) office. While there, Investigator Perovich was acting in the undercover capacity of a 14 year old female child named "Stef," and using the screen name of "sunshine12081988." Investigator Perovich was utilizing Yahoo Messenger software on the Unit's undercover computer. She was in a "chat room" called "olderguy who love younggirls:1" when an individual using the "screen name" of "jimdagreek" initiated a conversation.

8. During this unsolicited chat with "jimdagreek," (subsequently identified as JAMES COKE, as described below), "Stef" told him that she was 14 years of age and lived in Chicago. COKE said that he was a 33 year old male from Missouri. He asked "could I take you out sometime?" He wanted to know if "Stef" would let him "lick her pussy."

9. From on or about May 27, 2003 to on or about July 21, 2003, COKE engaged in at least six separate Yahoo Messenger chat discussions and at least six recorded telephone calls with Investigator Perovich. During the computer chats COKE told "Stef" that he wanted to have sex with her. COKE also discussed plans to travel from his residence in Missouri to Forest Park, IL in the near future to meet with "Stef" and have sex with her.

V. SUMMARY OF CHATS

10. Some examples of COKE's chats with Investigator Perovich are as follows:

a. May 29, 2003

COKE initiated a Yahoo Messenger Chat with "Stef." During this chat COKE stated that it would be easier to date "Stef" when her school was out. Also during this chat COKE asked, "...what if I want something kinky and perverted?...sucking your nipples... licking your pussy...licking your butthole...putting my cock in your little pussy...putting my cock in your butthole."

b. June 2, 2003

COKE initiated a Yahoo Messenger Chat with "Stef." During this chat COKE asked when "Stef's" last day of school was, and inquired, "...do you think I could take you out a week from today?" COKE asked for "Stef's" phone number so he could call her before he traveled to meet her. When Investigator Perovich gave him an undercover telephone number, COKE stated, "...I'd really love to lick your pussy..." COKE also said, "...when a guy puts his cock in your butthole, you can have sex like that and still be

a virgin...I love it...so will you... I'll have to lick and finger your buttohole first to get it loose enough for my cock to fit in it..."

c. June 25, 2003

COKE initiated a Yahoo Messenger Chat with "Stef." During the chat, he told her "...we can practice getting you pregnant...we can have sex but I'll use protection...wish I could spend a week with you, cuddling and kissing...I really want to lick you[sic] pussy and finger you...I want to make you come a lot..."

d. July 12, 2003

COKE left an offline message for "Stef" saying that he would be "...around Chicago on Monday July 21st. Maybe I could call, and when someone answers I could ask for Michael, and if it's you, you'll know it's me, if someone else answers, they'll just say wrong number, let me know if that's ok..." "Stef" replied to this message on July 14, 2003, and instructed COKE to call Wednesday, July 16 at 10am because she would be alone.

11. On or about July 16, 2003, Investigator Perovich, while posing as the minor female "Stef," had a telephone conversation with COKE. In this conversation, COKE told her that he would travel to Forest Park, IL on July 22, 2003.

VI. JULY 22, 2003 ARREST AND CONFESSION

12. On or about July 22, 2003, Investigator Perovich, while posing as the minor female "Stef," had another recorded telephone conversation with COKE. He told her that he planned to arrive in Forest Park, IL at approximately 7:00 p.m. that evening, and stated that he would call her when he arrived in town.

13. At approximately 7:54p.m. on July 22, 2003, COKE called Investigator Perovich again. He told her that he had arrived in Forest Park, IL. He said that he was parked in the Mobil gas station lot located at Madison and Des Plaines in Forest Park, IL. COKE said that he was driving a silver van.

14. At approximately 8:00 p.m., surveillance units of the Strike Force observed a silver van with Missouri license plates parked in the Mobil gas station parking lot located at Madison and Des Plaines in Forest Park, IL. A white male (now known to be JAMES COKE) was seen standing next to the van. Investigator Perovich, posing as the minor female, approached COKE and had a brief conversation. COKE was then taken into custody.

15. COKE was advised of his Miranda rights; he stated that he understood them and was willing to answer questions. He also signed consent to search forms for his vehicle, residence in Missouri, computer, and Internet accounts.

16. COKE agreed to be interviewed. He stated that he began chatting via the Internet with a female named "Stef" a few months ago. He said that he used the screen name "jimdagreek" on Yahoo Messenger. He said that she used the screen name "sunshine12081988." He said that he believed her to be 14 years of age, and admitted that he was 34 years of age. He said that he saw her in a chat room entitled "olderguy who love younggirls:1." COKE said that he chatted with "Stef" several times via computer and telephone. He said that most of his chats were sexual in nature. He stated that he offered to travel to Chicago from his residence in Missouri to meet with her. COKE said that if "Stef" had been willing, he would have engaged in sexual conduct with her. He stated that he knew it was illegal to meet with and engage in sexual conduct with a minor female. He stated that he drove from Moscow Mills, Missouri that day to Chicago to meet with "Stef."

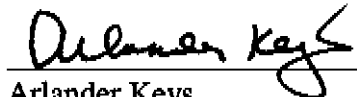
17. A search of COKE's van was conducted. Some of the items found included Mapquest directions from Missouri to Chicago, sexual lubricant, pillows and blankets. A condom was found in his wallet.

Based on the evidence described in this affidavit and my experience and training, I believe that probable cause exists to believe that JAMES COKE traveled in interstate commerce for the purpose of engaging in a sexual act with a person whom he believed to be a female minor who had not attained the age of 16 years, and was at least four years younger than COKE, and who, unbeknownst to COKE, was in fact an undercover law enforcement agent, in violation of title 18, United States Code, Section 2423(b).



Michael Anton
Special Deputy U.S. Marshal
Cook County Sheriff's Police
Child Exploitation Unit

Subscribed and sworn to before
me this 23rd day of July 2003.



Arlander Keys
U.S. Magistrate Judge